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COUNTY OF ALAMEDA

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN FRANCISCO DIVISION

12 LISAMARIA MARTINEZ,

13 Plaintiff,

14 v.

15 COUNTY OF ALAMEDA,

16 Defendant.

Case No. 20-cv-06570-TSH

**DECLARATION OF NICHOLAS D. FINE IN
SUPPORT OF DEFENDANT COUNTY OF
ALAMEDA'S RENEWED MOTION FOR
JUDGMENT AS A MATTER OF LAW, OR
IN THE ALTERNATIVE, FOR NEW TRIAL**

DATE: March 27, 2025

TIME: 10:00 a.m.

DEPT: Courtroom E, 15th Floor

JUDGE: Magistrate Thomas S. Hixson

I, Nicholas D. Fine, declare as follows:

1. I am an attorney at law duly licensed to practice before all the courts in the State of California and the United States District Court – Northern District of California. I am an attorney with Orbach Huff + Henderson LLP and one of the attorneys of record for Defendant COUNTY OF ALAMEDA (“County”). If called and sworn as a witness to testify, I am competent to testify and would testify from my own personal knowledge as to the facts set forth in this Declaration, except as to those matters that are stated on information and belief herein.

2. This Declaration is submitted for the purpose of presenting evidence in support of the County’s Renewed Motion for Judgment as a Matter of Law, or in the Alternative, for New Trial.

3. Attached hereto as **Exhibit A** is a true and correct copy of relevant portions highlighted of the Transcript of Jury Trial Proceedings for the trial of this action, Volume 2, pages 195-361, dated March 27, 2024.

4. Attached hereto as **Exhibit B** is a true and correct copy of relevant portions highlighted of the Transcript of Jury Trial Proceedings for the trial of this action, Volume 3, pages 362-557, dated March 28, 2024.

5. Attached hereto as **Exhibit C** is a true and correct copy of relevant portions highlighted of the Transcript of Jury Trial Proceedings for the trial of this action, Volume 4, pages 558-709, dated March 29, 2024.

6. Attached hereto as **Exhibit D** is a true and correct copy of Exhibit 4A admitted into evidence at trial, an audio recording depicting Plaintiff’s interactions with CRO staff on the day of the subject incident.

7. Attached hereto as **Exhibit E** is a true and correct copy of Exhibit 4C admitted into evidence at trial, an audio recording depicting Plaintiff’s interactions with CRO staff on the day of the subject incident.

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8. Attached hereto as **Exhibit F** is a true and correct copy of Exhibit 4D admitted into evidence at trial, an audio recording depicting Plaintiff's interactions with CRO staff on the day of the subject incident.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 14th day of February, 2025, at Pleasanton, California.



Nicholas D. Fine

ORBACH HUFF & HENDERSON LLP